



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/829,121

04/20/2004

Kazuya Sako

52431/DBP/A400

6478

23363 7590 09/02/2008  
CHRISTIE, PARKER & HALE, LLP  
PO BOX 7068  
PASADENA, CA 91109-7068

EXAMINER

PARKER, BRANDI P

ART UNIT

PAPER NUMBER

3623

MAIL DATE

DELIVERY MODE

09/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/829,121	<b>Applicant(s)</b> SAKO, KAZUYA	
	<b>Examiner</b> BRANDI P. PARKER	<b>Art Unit</b> 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4/20/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/20/2004, 12/07/2007, 6/02/2008</u> .                        | 6) <input type="checkbox"/> Other: _____                          |



## **DETAILED ACTION**

### ***Acknowledgements***

1. Claims 1-7 are pending in this Office Action.

### ***Priority***

2. Acknowledgment is made of applicant's claims for foreign priority under 35 U.S.C. 119(a)-(d).
3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones (US 6,363,323).

Art Unit: 3623

6. With respect to claim 1, Jones teaches a schedule management system, comprising:

a. a schedule management apparatus that transmits a schedule to be managed to a management center, transmits its own present position to the management center continuously, and displays an alarm when it receives the alarm from said management center (column/line 3/7-13, regarding automated computer-based apparatus with a satellite receiver); (column/line 3/45-51, regarding the processor being configured to transmit an alarm message); and

b. the management center that stores the schedule received from said schedule management apparatus, calculates a required time period to move from said present position to a place included in said schedule when it receives said present position from said schedule management apparatus, calculates a time to start an alarm based on an expected start time included in said schedule, a present time and said required time period, and transmits an alarm to said schedule management apparatus through a transmitting/receiving section when the present time reaches said calculated alarm start time (column/line 10/33-43, regarding the predetermined proximity for notification message); (column/line 10/63-66, regarding the expected start time stored in memory compared to the actual vehicle schedule); (column/line 11/39-52, regarding comparing time values, vehicle rout and arriving at a location).

7. Regarding claim 2-4 and 6-7 Jones teaches a management center, comprising:

Art Unit: 3623

- c. a unit that performs transmission/reception to/from a schedule management apparatus (column/line 12/36-59, regarding base station manager that transmits/receives messages to delivery vehicles);
- d. a memory that stores a schedule received from said schedule management apparatus through said transmitting/receiving unit (column/line 12/36-59, regarding base station manager that transmits/receives messages to delivery vehicles);
- e. a unit that detects a present time (column/line 17/43-48, regarding vehicle clock 38);
- f. a unit that calculates, from a place included in said schedule and a present position received from said schedule management apparatus, a required time period to move from said present position to said place (column/line 14/5-17, regarding the calculation of the alarm threshold value);
- g. a unit that calculates a time to start an alarm based on an expected start time included in said schedule, said detected present time and said calculated required time period (column/line 13/31-60, regarding vehicle manager that compares vehicle schedule and time values); and
- h. a unit that transmits an alarm to said schedule management apparatus through said transmitting/receiving unit when said detected present time reaches said calculated alarm start time (column/line 13/31-60, regarding vehicle manager that compares vehicle schedule and time values).

Art Unit: 3623

8. As to claim 5, Jones teaches a schedule management system, comprising:
- i. a management center that transmits a schedule that is created and input by an operator based on a conversation using a telephone unit between the operator of the management center and a user of said schedule management apparatus (column/line 14/42-54, regarding human operator communicating via communications device); and
  - j. the schedule management apparatus that transmits the schedule to said management center through the conversation using the telephone unit, storing the schedule received through said telephone unit in a memory, and displaying the schedule (column/line 8/46-63, regarding communications device through voce channels).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Andrews et al (US 6,678,613, regarding an apparatus for notifying a user of an appointment), Tognazzini (US 5,790,974, regarding monitoring travel of a mobile vehicle).

Art Unit: 3623

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDI P. PARKER whose telephone number is (571) 272-9796. The examiner can normally be reached on Mon-Thurs. 8-5pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRANDI P PARKER/  
Examiner, Art Unit 3623

/Andre Boyce/  
Primary Examiner, Art Unit 3623